

**Charles Cathcart**

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1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION  
4  
5 UNITED STATES OF AMERICA, )  
 )  
6 Plaintiff, )  
 )  
7 vs. ) No. 07-4762-PJH (JCS)  
 )  
8 CHARLES CATHCART, et al., )  
 )  
9 Defendants. )  
 )  
\_\_\_\_\_ )

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DEPOSITION OF CHARLES CATHCART  
Los Angeles, California  
Tuesday, August 19, 2008

Reported by:

NANCY L. COLLIER  
CSR No. 5819  
JOB No. 188627

**Esquire Deposition Services, LLC**

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1 trip that you took with Mr. Hsin to China, either to  
2 meet with him there or to travel with him there?

3 A Probably in September of 2006.

4 Q After September of 2006, did you continue to  
5 work with or know Mr. Hsin?

6 MR. WEBB: Objection, compound.

7 THE WITNESS: Yes.

8 BY MS. BAKER:

9 Q And in what capacity?

10 A Also assisting with business plan writing  
11 and advisory service, consulting advisory service,  
12 for Chinese businesses.

13 Q What's the nature of the consulting advisory  
14 services that you provided?

15 A How to present their businesses to  
16 prospective investors.

17 Q And what is Mr. Hsin's business in  
18 connection with this business service that you're  
19 providing?

20 A That was the nature of the service that he  
21 was providing, and I was a resource for him.

22 Q I see. And when did you work with him in  
23 this capacity?

24 A Through the early part of January 2007.

25 Q And then after January 2007, did you

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1 continue to work with or know Mr. Hsin?

2 A Well, I've continued to know him, but I have  
3 not worked with him since early January 2007.

4 Q When was the last time you had a  
5 communication with him?

6 A I think last September.

7 Q Last September 2007?

8 A Right.

9 Q And what was the nature of that  
10 communication?

11 A To recommend an attorney for him.

12 Q For what purpose?

13 A For this litigation.

14 Q Who did you recommend?

15 A Edward Ord.

16 Q Do you know if Mr. Hsin took your  
17 recommendation?

18 A I believe he did.

19 Q And how did it come to pass that you had a  
20 conversation with him in September of '07 relating to  
21 his decision to hire or retain an attorney?

22 A I think he contacted me. I don't recall the  
23 details.

24 Q He contacted you?

25 A I believe so.

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1       Q       Why might he have contacted you?

2               MR. WEBB: Objection, calls for speculation.

3               THE WITNESS: He needed representation.

4 BY MS. BAKER:

5       Q       Do you have any sense as to why Mr. Hsin  
6 would think to call you on the phone because he needs  
7 an attorney? You're not an attorney, are you?

8       A       No, I'm not.

9       Q       I didn't think so.

10      A       But he knew that I was involved in the  
11 litigation.

12      Q       Have you had any other communications with  
13 him recently? By communication I mean e-mail?

14      A       No.

15      Q       Voice mail?

16      A       No.

17      Q       Meeting in person?

18      A       No.

19      Q       How about Franklin Thomason, do you know  
20 him?

21      A       I've met him.

22      Q       When did you meet him?

23      A       I met him on a couple of the trips that I  
24 made to China.

25      Q       About when did you meet him?